

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ART UNIT: 3752

SNYDER ET AL.

EXAMINER: JASON BOECKMANN

APPLICATION NO: 10/738,912

FILED: DECEMBER 16, 2003

FOR: PREFILMING ATOMIZER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated February 26, 2009 finally rejecting claims 26 to 51.

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$510 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.

Enclosed is a Petition for Extension of Time.

Respectfully submitted,



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